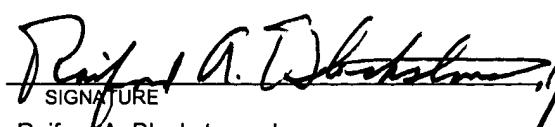


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 1171/44327/163-PCT-US
INTERNATIONAL APPLICATION NO. PCT/NZ2004/000166		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>107566109</b>
INTERNATIONAL FILING DATE 27 July 2004		
PRIORITY DATE CLAIMED 1 August 2003		
TITLE OF INVENTION <b>DEVICE FOR SUPPLYING A RESPIRATORY GAS WITH INTEGRATED HUMIDIFIER</b>		
APPLICANT(S) FOR DO/EO/US <b>IAN DOUGLAS MAKINSON, MARTIN PAUL FRIEDERICH KRAMER</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: <b>Int. Search Report, Int. Preliminary Exam. Report, Communication</b></p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (Unknown see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
107566109		PCT/NZ2004/000166		1171/44327/163-PCT-US	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 400.00	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100 =	/50 =			x \$250	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	18	- 20 = 0	x \$ 50	\$ 0.00	
Independent claims	2	- 3 = 0	x \$200	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	\$ 360.00
<b>TOTAL OF ABOVE CACULATIONS =</b>				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
				<b>SUBTOTAL =</b>	\$ 1,260.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
				<b>TOTAL NATIONAL FEE =</b>	\$ 1,260.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
				<b>TOTAL FEES ENCLOSED =</b>	\$ 1,260.00
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 1,260.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 20-1495 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1495. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Cust. No. 00279					
 SIGNATURE Raiford A. Blackstone, Jr. NAME 25,156 REGISTRATION NUMBER					

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

National Phase Application )  
Based Upon PCT/NZ2004/000166 )  
                              )  
Serial No.: Not Yet Assigned )  
                              )  
Applicant: Makinson, et al. )  
                              )  
Filed: January 25, 2006 )  
                              )  
For: Device for Supplying A Respiratory )  
      Gas with Integrated Humidifier )  
                              )  
Examiner: Not Yet Assigned )  
                              )  
Art Unit: Not Yet Assigned )  
                              )  
Attorney Docket No.: )  
      1171/44327/163-PCT-US )

Certificate of Mailing by "Express Mail"	
Express Mailing No.:	EL984134321US
Date of Deposit:	January 26, 2006
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" Under 37 C.F.R. §1.10 on the date indicated above addressed to The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
 Johanna E. Cronin	

COMMUNICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 1450

Sir:

Enclosed is a copy of an amended sheet presented during the international application phase of PCT/NZ2004/000166 under Article 19 and/or 34. These amendments were entered and considered for the purposes of the International Preliminary Examination Report and therefore should have been presented to the United States as a National Phase Office. Entry and consideration of same during the United States National Phase application is requested.

Should the Examiner have any questions regarding this Communication, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

Dated: Jan. 26, 2006

By: 

Raiford A. Blackstone, Jr., Reg. No. 25,156

Linda L. Palomar, Reg. No. 37,903

TREXLER, BUSHNELL, GIANGIORGI

BLACKSTONE & MARR, LTD.

105 W. Adams Street

Suite 3600

Chicago, Illinois 60603

(312) 704-1890

919774.WPD

10/566109

IAP9 Rec'd PCT/PTO 26 JAN 2006

**TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR, LTD.**

**COUNSELORS AT LAW**

RICHARD R. TREXLER (1906-1995)

RICHARD BUSHNELL (1926-2004)

RICHARD A. GIANGIORGI

RAIFORD A. BLACKSTONE, JR.

DAVID J. MARR

LINDA L. PALOMAR

JAMES R. FOLEY

ROBERT J. DEPK

JAMES A. O'MALLEY

TIMOTHY M. McCARTHY

PAIGE A. KITZINGER

---

LEWIS T. STEADMAN, SR.

OF COUNSEL

THE CLARK ADAMS BUILDING

105 WEST ADAMS STREET, SUITE 3600

CHICAGO, ILLINOIS 60603-6210

(312) 704-1890

FOUNDED 1890

PATENT, TRADEMARK, COPYRIGHT  
AND RELATED MATTERS; ALL PHASES  
INCLUDING LICENSING AND LITIGATION

FAX: (312) 704-8023

[www.trexlaw.com](http://www.trexlaw.com)

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"EXPRESS MAIL" MAILING LABEL NUMBER: EL984134321US

DATE OF DEPOSIT: January 26, 2006

I hereby certify that the enclosed Utility Patent Application are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop: Patent Application

on January 26, 2006.

---



Signature

---

Johanna E. Cronin

Typed or Printed Name

---

312-704-1890

Telephone Number